

## FORM SUMMARY

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**Name of Form:** **Small Claims - Garnishment Summons and Complaint for Non-Earnings**

**Form Number:** **SC-503**

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**Statutory Reference:** Chapter 799 and §§812.04, 812.05, Wisconsin Statutes

**Benchbook Reference:** CV 42-7

**Purpose of Forms:** Initiate a garnishment action under Chapter 799 for property other than earnings.

**Who Completes It:** Creditor

**Distribution of Form:** Original to Clerk, copies to parties.

**Accompanying Forms:** Generally none unless creditor adds additional documentation for claim.

**New Form/Modification:** Modification; last update 08/05.

**Modifications:** Corrected “creditor” and “debtor” language.

**Comments:** This form is used exclusively for the garnishment of property other than earnings. Separate forms exist for the garnishment of earnings.

The earnings garnishment forms use "creditor", "debtor", and "garnishee" as party types, while the previous non-earnings garnishment forms contained the traditional language of "plaintiff", "defendant", and "garnishee defendant". Section 801.01 defines the plaintiff as the judgment creditor and the defendant as the judgment debtor (or spouse). RMC believes that §§812.04(2) and 812.44(1)(a) allow the non-earnings garnishment forms to be modified to reflect the new common usage as long as the rights of the parties are not altered.

**About this form:** This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

**If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.**